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Report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

Fifty-ninth session (6-10 October 2008)

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Sixty-third Session
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Note

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I. INTRODUCTION

A. Opening of the session

1. The Executive Committee of the High Commissioner's Programme held its fifty-ninth plenary session at the Palais des Nations in Geneva, from 6 to 10 October 2008. It was opened by the Chairman, His Excellency Ambassador Boudewijn J. van Eenennaam (Netherlands).

2. The Chairman welcomed delegates, notably those representing Benin, Luxembourg, Montenegro and The former Yugoslav Republic of Macedonia who were attending their first plenary session as members.

B. Representation on the Committee

3. The following members of the Committee were represented at the session:

Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Benin, Brazil, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Democratic Republic of the Congo, Denmark, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guinea, Holy See, Hungary, India, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kenya, Lebanon, Lesotho, Luxembourg, Madagascar, Mexico, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Serbia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Yemen and Zambia.

4. The Governments of the following States were present as observers:

Afghanistan, Albania, Angola, Armenia, Azerbaijan, Bahrain, Belarus, Bhutan, Bosnia and Herzegovina, Bulgaria, Burundi, Cambodia, Cameroon, Central African Republic, Chad, Congo, Croatia, Czech Republic, Djibouti, Dominican Republic, El Salvador, Gabon, Gambia, Georgia, Guatemala, Haiti, Honduras, Indonesia, Iraq, Lao People's Democratic Republic, Latvia, Liberia, Liechtenstein, Lithuania, Malawi, Mali, Mauritania, Monaco, Myanmar, Nepal, Niger, Oman, Panama, Republic of Moldova, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Sri Lanka, Swaziland, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Ukraine, Uzbekistan and Zimbabwe.

5. The Sovereign Military Order of Malta was represented as an observer.

6. Also present were the following intergovernmental organizations and other entities:

African Union, Economic Community of West African States, European Community, European Union, International Centre for Migration Policy Development, International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies, International Organization of "la Francophonie" and International Organization for Migration.

7. The United Nations system was represented as follows:

Food and Agriculture Organization, Office for the Coordination of Humanitarian Affairs, United Nations Educational, Scientific and Cultural Organization, United Nations Industrial Development Organization, United Nations Office at Geneva, World Bank Group, World Food Programme and World Health Organization.

8. 25 non-governmental organizations attended.

C. Adoption of the agenda and other organizational matters

9. The Executive Committee adopted by consensus the following agenda (A/AC.96/1059):

1. Opening of the session.
2. Adoption of the agenda and other organizational matters.
3. Statements by the High Commissioner and the guest speaker.
4. General debate.
5. Consideration of reports on the work of the Standing Committee:
   (a) International Protection;
   (b) Programme budgets, management, financial control and administrative oversight.
6. Reports relating to programme and administrative oversight and evaluation.
7. Consideration and adoption of the Biennial Programme Budget 2008-2009 (Revised).
8. Review of the Annual Consultations with non-governmental organizations.
9. Other statements.
10. Meetings of the Standing Committee in 2009.
11. Consideration of the provisional agenda of the sixtieth session of the Executive Committee.
12. Election of officers.
13. Any other business.

14. Adoption of the report of the fifty-ninth session of the Executive Committee.

15. Closing of the session.

D. Election of officers for the sixtieth session

10. Under Rule 10 of its Rules of Procedure, the Committee elected the following officers by acclamation, to serve the Committee from the day immediately following their election to the end of the last day of the following annual plenary session:

Chairperson:	H.E. Ambassador Laura Thompson Chacón (Costa Rica)
Vice-Chairperson:	H.E. Ambassador Caroline Millar (Australia)
Rapporteur:	Ms. Nicoleta Birladianu (Romania)

11. The Chairperson-elect, Her Excellency Ambassador Laura Thompson Chacón made a brief statement in which she called on the Executive Committee and UNHCR to pursue efforts to create the necessary conditions to ensure that displaced people have a safe and dignified place to live, as well as to find durable solutions for them.

II. WORK OF THE FIFTY-NINTH SESSION

12. As the basis for the general debate, the High Commissioner delivered an opening statement, the text of which is available on UNHCR's website (www.unhcr.org). The High Commissioner's guest speaker, the President of the International Committee of the Red Cross, Mr. Jakob Kellenberger, then addressed the Executive Committee before the opening of the floor to delegations for the general debate.[1]

13. A summary of the general debate, delivered by the Chairman, is found in Annex II.

III. CONCLUSIONS AND DECISIONS OF THE EXECUTIVE COMMITTEE

A. General conclusion on international protection

14. *The Executive Committee,*

Reiterating, in the 60th anniversary year of the Universal Declaration of Human Rights, the enduring importance of freedom of movement and residence within the borders of each State, of the right to seek and enjoy asylum in other countries from persecution and of the right to a nationality,

[1] See summary records of the session for a full account of the deliberations of the Committee, including the statement by the guest speaker, statements or other interventions by delegations under all agenda items, and their comments on the draft conclusion and decisions, as well as summing up and closing statements by the High Commissioner and by the Chairman.

enshrined in Articles 13, 14 and 15 of the Declaration; and *recognizing* the importance of the rights in the Declaration to all persons of concern to UNHCR,

Urging UNHCR and its partners to continue to draw appropriately upon relevant international humanitarian and human rights law and, in cooperation with States, to adopt a rights- and community-based approach in engaging constructively with individual persons of concern and their communities in their work, including through partnership with relevant international and national human rights, humanitarian and development organizations and the active and inclusive participation of persons of concern,

Welcoming the succession of Montenegro to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and *appealing* to States which have not yet acceded to these instruments to consider doing so, and to States which have made reservations to consider lifting them,

Deeply preoccupied by current and persistent protection problems of persons of concern, including the rejection of refugees and asylum-seekers at frontiers without examination of claims for asylum or safeguards to prevent *refoulement*, long-term detention, continuing sexual and gender-based violence and exploitation, and manifestations of xenophobia, racism and related intolerance,

General international protection concerns

(a) *Calls upon* States to scrupulously respect the principle of *non-refoulement*;

(b) *Also calls upon* States to take steps to prevent acts of violence against refugees and other persons of concern, to facilitate their access without discrimination to effective legal remedies, to safeguard their physical safety, to strengthen justice systems as appropriate, and to bring perpetrators of such violence to justice;

(c) *Welcomes* the development of asylum legislation and the establishment of processes for status determination and admission in a number of countries, often with the help and advice of UNHCR; *encourages* the States concerned to continue to strengthen their capacity; and *welcomes* in this regard the technical and financial support of other States and UNHCR as appropriate;

(d) *Stresses* the importance of UNHCR's being granted access to asylum applicants and refugees in order to enable the Office to carry out its protection functions in an effective manner, and *urges* States and other parties to be guided by their duty to cooperate with the High Commissioner in the performance of his humanitarian protection and assistance functions, which can only be effectively accomplished if he has access to camps and settlements of his concern;

(e) *Welcomes* the discussions in the High Commissioner's Dialogue on Protection Challenges in December 2007, and *affirms* the mandated role of UNHCR in the identification of refugees and other persons of concern to the Office in mixed migratory movements with a view to meeting their international protection needs; *recognizes* the importance of enhanced cooperation among States, UNHCR, international agencies, including the International Organization for

Migration, and other relevant actors, to address the complex problems arising in the context of mixed migratory movements including people smuggling and trafficking in persons;

Age, gender and diversity mainstreaming approach

(f) *Commends* UNHCR for further pursuing its age, gender and diversity mainstreaming (AGDM) approach aimed at ensuring gender equality and equal enjoyment of rights, regardless of age, gender or background;

(g) *Welcomes* the AGDM Accountability Framework, and *urges* the Office to address resolutely all outstanding obstacles to embedding the strategy more comprehensively within and across the organization, resourcing as fully as possible the priorities in this area and expanding and deepening partnerships;

(h) *Recognizes* the importance for States to promote an age, gender and diversity-sensitive approach, taking into account such information in the implementation of applicable international refugee instruments;

Refugees and others of concern with disabilities

(i) *Welcomes* the entry into force of the Convention on the Rights of Persons with Disabilities and its Optional Protocol; and, for State parties, *underlines* that refugees and others of concern to UNHCR with disabilities are entitled on the same basis as others to the full enjoyment of the rights and standards set forth in these instruments without discrimination;

(j) *Emphasizes* the importance of promoting a protection and reception environment, with particular attention given to vulnerability of children and women, that encourages the systematic inclusion of refugees and others of concern with disabilities in all areas of society, including in national programmes and policies, and mobilizes financial and other necessary resources, as appropriate, to support host countries efforts in this regard on the basis of international solidarity and burden sharing;

(k) *Urges* UNHCR and its partners to take all necessary measures to actively promote and achieve inclusion of persons with disabilities, at all stages: displacement, temporary settlement and in the search for durable solutions, in order to reduce the gap between principles and standards and the reality experienced by displaced persons with disabilities;

Protracted refugee situations

(l) *Recognizing* the need for Governments, UNHCR and the international community to continue to respond to the asylum, protection and assistance needs of refugees until durable solutions are found, and while noting that voluntary repatriation, local integration and resettlement are the traditional durable solutions for refugees, *affirms* that voluntary repatriation is the preferred solution, when feasible;

(m) *Welcomes* the High Commissioner's initiative to unlock and find comprehensive solutions for protracted refugee situations; *acknowledges* the contribution the ongoing "UN Delivering as One" process may make to such solutions; *recognizes* that, in protracted refugee situations, developing countries and countries in transition carry a heavy burden by hosting large numbers of refugees and asylum-seekers; and *reiterates* a strong commitment to uphold the principles of international solidarity and burden sharing;

(n) *Stresses* the importance, while searching for solutions, of supporting the efforts of host countries to enhance education, health care and provision of other basic services in refugee-impacted areas, and *encourages* State parties to respect the full range of rights included in the 1951 Convention and its 1967 Protocol and, mindful of the particular conditions applicable, to explore the most practical and feasible means to accord freedom of movement, and other important rights underpinning self-reliance;

Resettlement

(o) *Welcomes* the progress that has been achieved in increasing the number of States offering opportunities for resettlement and the number of refugees resettled, in particular of women and girls at heightened risk;

(p) *Encourages* UNHCR to continue its efforts in collaboration with resettlement countries to promote the use of resettlement strategically;

(q) *Reaffirms* the strategic use of resettlement as an instrument of protection and its use as a durable solution, especially to resolve protracted refugee situations; *notes* the exponential increase in the number of refugees in need of resettlement identified by UNHCR as a result of its concerted efforts to conduct needs-based assessments; *urges* States without existing resettlement programmes to offer places for refugees recognized by UNHCR and in need of third country resettlement; *encourages* States with existing programmes to consider making available more resettlement places; and *acknowledges* the importance of registration as a tool of protection and as a means to enable quantification and assessment of the need for resettlement;

Internal displacement

(r) *Recalls* Conclusions No. 75 (XLV) and No. 87 (L) on internally displaced persons; *takes note* of resolution 53/125 adopted by the United Nations General Assembly in December 1998; *acknowledges* that UNHCR is a partner in the humanitarian reform efforts and has a leading role in the emergency shelter, protection and camp coordination clusters; and *further notes* that the primary responsibility for the welfare and protection of IDPs lies with the State concerned; *reiterates* the relevance of the Guiding Principles on Internal Displacement and *reaffirms* its support for UNHCR's role with internally displaced persons on the basis of criteria specified by the General Assembly, which includes not undermining the mandate of the Office for refugees and the institution of asylum;

(s) *Takes note* of UNHCR's role in the context of inter-agency arrangements for the protection of internally displaced persons based on the principles of predictability and accountability developed under the United Nations humanitarian reform process;

(t) *Takes note* of the inter-agency "Handbook for the Protection of IDPs" and the "Protection of Conflict-induced IDPs: Assessment for Action Framework"; and *invites* concerned States, agencies, non-governmental organizations and other relevant actors to make use of these tools, as appropriate, as common standards and frameworks for their actions in providing for the protection of internally displaced persons and affected populations;

(u) *Notes* UNHCR's consideration of the Principles of Partnership developed by the Global Humanitarian Platform;

Statelessness

(v) *Welcomes* the accessions of Austria, Belize, Montenegro, Romania and Rwanda to the 1954 Convention relating to the Status of Stateless Persons, and of Brazil, Finland, New Zealand, Romania and Rwanda to the 1961 Convention on the Reduction of Statelessness; and *encourages* all States that have not done so to give consideration to acceding to those instruments;

(w) *Welcomes* UNHCR's intensified efforts to identify and to protect stateless persons; *encourages* States to prevent and reduce statelessness by adopting and implementing safeguards in nationality laws and policies, consistent with fundamental principles of international law, and by facilitating birth registration as a means of providing an identity; *stresses* safeguarding the right of every child to acquire a nationality, particularly where the child might otherwise be stateless, and considering, as appropriate, facilitating the naturalization of habitually and lawfully residing stateless persons in accordance with national legislation; and *requests* UNHCR to continue to provide technical advice and operational support to States;

Agenda for Protection

(x) *Welcomes* UNHCR's initiative to commence a review of achievements made under the Agenda for Protection, to identify outstanding challenges and assist States, upon request, to devise national plans of action in a consultative and inclusive manner with relevant stakeholders and actors so as to enhance the international protection of refugees and others of concern on the basis on the Agenda; and *encourages* States to take part in this process in a consultative and inclusive manner with relevant stakeholders and actors.

B. Decision on possible ways to improve the identification of themes for Executive Committee conclusions on international protection and the process of preparing, drafting and finalizing conclusions

15. *The Executive Committee,*

Recalling its decision taken at the 58th session on the nature, value and use of Executive Committee conclusions on international protection, which called for a review or evaluation on the use of conclusions, and informal consultations on how to improve the identification of themes for conclusions and the process of preparing, drafting and finalizing conclusions (A/AC.96/1048, para. 15),

Considering the findings and recommendations contained in the report on the above-mentioned review on the use of conclusions carried out under the auspices of UNHCR's Policy Development and Evaluation Service,[2] and those arising from the deliberations on ways to improve the selection of themes and the identification, drafting and finalization of conclusions,

(a) *Notes* the review report and the information it has provided which confirms the use of Executive Committee conclusions in the respective spheres, while also highlighting challenges which must nevertheless be addressed;

(b) *Notes* that the Review concluded that more can be done by stakeholders, in particular UNHCR, to ensure that conclusions are known, understood, appreciated and used by all stakeholders;

(c) *Notes* recommendations 1 to 7 of the report and *calls upon* UNHCR to implement these recommendations; *takes note* of the willingness of some States to voluntarily implement recommendation 8 of the Review report; and *encourages* UNHCR and States to consider, as appropriate, whether recommendation 9 may be relevant and of assistance in any given thematic conclusion;

(d) *Reiterates* the prerogative of the High Commissioner to seek the guidance of the Executive Committee through conclusions; *reaffirms* this important role of the Executive Committee which forges consensus on vital international protection issues, standards, policies and practices, and, in this connection, *encourages* States, UNHCR, non-governmental organizations and other relevant actors to draw upon the conclusions as guidance for their respective activities in providing protection, assistance and solutions for refugees and other persons of concern;

(e) *Underlines* that UNHCR should maintain and strengthen the practice of consulting its field operations and other stakeholders, particularly refugees and non-governmental organizations, in the selection of themes, and *asks* that possible themes be identified through a systematic process of consultation;

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[2] See *Review of the Use of UNHCR Executive Committee Conclusions on International Protection*, Informal Consultative Meeting of the Standing Committee, 9 June 2008, http://www.unhcr.org/excom.

(f) *Urges* all Member States to participate actively in the identification of themes, the preparation and the drafting of Executive Committee conclusions;

(g) *Affirms* that the consideration of themes should take place in a holistic discussion on relevant protection issues which should be educative, leading to more thorough understanding, common ground and an appreciation of issues and concerns that may be better addressed through ways other than a conclusion;

(h) As part of this holistic discussion of protection issues, *approves* of the practice of submitting thematic papers three weeks in advance of Standing Committee meetings and one week in advance of Informal Consultative Meetings, allowing for sufficient informal consultations on the theme for discussion and, where appropriate, including the participation of UNHCR field personnel or other experts or resource persons;

(i) *Calls upon* UNHCR, in submitting thematic papers to the Executive Committee on the theme in question, to demonstrate the need for a conclusion and its operational relevance, and to highlight the specific issues or protection gaps that need to be addressed;

(j) *Underscores* the responsibility of all Member States and UNHCR to ensure that the conclusions as finalized do not fall below relevant international standards, norms and approaches, but rather affirm and progressively develop them;

(k) In this context, *notes* the mandated and substantive role of UNHCR in providing its expertise to the Executive Committee and helping advance the conclusions;

(l) *Urges* UNHCR to ensure that draft texts are, from the very onset, succinct and precise, and that they contain references to sources of the draft;

(m) *Encourages* that other fora in which substantive dialogue on international protection issues takes place, such as the High Commissioner's Dialogue on Protection Challenges and the Field Protection Reference Group, as well as specific suggestions by member States, should be appropriately drawn upon in identifying themes and drafting Executive Committee conclusions;

(n) *Understands* that consultations will take place between the Office and the Executive Committee, according to standing procedures, to decide on the specific theme to be considered in each year, and that Informal Consultative Meetings will follow in order to allow for further, in-depth reflections on the issues, needs and concerns at stake and how best to address them, including through conclusions or in other ways;

(o) *Approves* of the practice of pre-identifying indicative themes to be considered over a multi-year cycle;

(p) *Recommends* that while pre-identifying indicative themes over a multi-year cycle, the Executive Committee takes into account, *inter alia*, the issues that were discussed at previous

Informal Consultative Meetings, and which UNHCR considers to merit guidance and/or the development or affirmation of norms, standards, and approaches;

(q) *Recognizes* that the Executive Committee may consider elaborating a General Conclusion when there is a demonstrated need;

(r) *Recommends* that the Executive Committee should consider the issue of protracted refugee situations.

C. General decision on administrative, financial and programme matters

16. *The Executive Committee*,

(a) *Confirms* that the activities proposed under the Biennial Programme Budget for the years 2008-2009, as set out in document A/AC.96/1055, have been found on review to be consistent with the Statute of the Office of the High Commissioner (General Assembly Resolution 428 (V)), the High Commissioner's other functions as recognized, promoted or requested by the General Assembly, the Security Council, or the Secretary-General; and the relevant provisions of the *Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees*;

(b) *Approves* the programmes and budgets for Regional Programmes, Global Programmes and Headquarters under the revised Annual Programme Budget for the year 2008 amounting to $1,163,155,800 including the United Nations Regular Budget contribution, an Operational Reserve (representing 10 per cent of programmed activities) and the "New or additional activities – mandate-related" Reserve; *notes* that these provisions, together with those of $10 million for Junior Professional Officers as well as the needs under Supplementary Programmes of $577,214,900, bring total requirements for 2008 to $1,750,370,700; and *authorizes* the High Commissioner within these total appropriations, to effect adjustments in Regional Programmes, Global Programmes and Headquarters budgets;

(c) *Notes* that the "New or additional activities–mandate-related" Reserve appropriation level of $50 million for 2009 may prove insufficient; and *authorizes* UNHCR to increase the 2009 appropriation to $75 million;

(d) *Approves* the programmes and budgets for Regional Programmes, Global Programmes and Headquarters under the revised Annual Programme Budget for the year 2009 amounting to $1,265,460,600, including the United Nations Regular Budget contribution, an Operational Reserve (representing 10 per cent of programmed activities) of $108,223,700, an amount of $75 million for the "New or additional activities – mandate-related" Reserve, and an amount of $63.5 million for the Global Needs Assessment identified by UNHCR in eight pilot countries; *notes* that these provisions, together with those of $10 million for Junior Professional Officers, bring total requirements for the 2009 Annual Programme Budget to $1,275,460,600; and *authorizes* the High Commissioner within

these total appropriations, to effect adjustments in Regional Programmes, Global Programmes and Headquarters budgets;

(e) *Notes* the *Report of the Board of Auditors on the financial statements of the Voluntary Funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 2007* (A/AC.96/1054), and the High Commissioner's *Measures taken or proposed in response to the recommendations in the Report of the Board of Auditors for the year ended 31 December 2007* (A/AC.96/1054/Add.1); as well as the *Report of the Advisory Committee on Administrative and Budgetary Questions on UNHCR's Biennial Programme Budget for 2008-2009 (revised)* (A/AC.96/1055/Add.1), and the various reports of the High Commissioner related to oversight activities (A/AC.96/1056, 1057 and 1058); and *requests* to be kept regularly informed on the measures taken to address the recommendations and the observations raised in these various oversight documents;

(f) *Calls* on UNHCR to keep its administrative expenditure under continual review with a view to reducing it as a proportion of total expenditure;

(g) *Notes* that UNHCR is foreseeing the establishment of 22 Supplementary Programme Budgets in 2009 as listed in section V of Part II of document A/AC.96/1055, and that the total budget for these Programmes is provisionally estimated at $534.7 million, thereby provisionally bringing UNHCR's total requirements in 2009 to $1,810.2 million;

(h) *Requests* the High Commissioner, within the resources available, to respond flexibly and efficiently to the needs currently indicated under the Biennial Programme Budget for the years 2008-2009; and *authorizes* him, in the case of additional new emergency needs that cannot be met fully from the Operational Reserve, to create Supplementary Programmes and issue Special Appeals;

(i) *Acknowledges* with appreciation the burden that continues to be shouldered by developing and least developed countries hosting refugees, and *urges* Member States to recognize this valuable contribution to the protection of refugees and to participate in efforts to promote burden sharing and durable solutions; and *further acknowledges* the valuable contribution of resettlement countries to providing durable solutions for refugees;

(j) *Urges* Member States, in the light of the extensive needs to be addressed by the Office of the High Commissioner, to respond generously and in a spirit of solidarity, and in a timely manner, to his appeal for resources to meet in full the approved 2008-2009 Biennial Programme Budget; and to support initiatives to ensure that the Office is resourced in a better and more predictable manner, while keeping "earmarking" to a minimum level.

D. Decision on the programme of work of the Standing Committee in 2009

17. *The Executive Committee,*

Having reviewed the issues before it at its fifty-ninth session, and bearing in mind the decisions and conclusion adopted at that session,

(a) *Decides* to convene no more than three formal meetings of the Standing Committee in 2009, to be held in March, June and September;

(b) *Reaffirms* its decision on the framework for the Standing Committee's programme of work (A/AC.96/1003 paragraph 25, sub-paragraph 2(c)), *authorizes* the Standing Committee to add and delete items, if appropriate, to this framework for its meetings in 2009 and *requests* member States to meet in December 2008 to draw up a detailed work plan for formal adoption by the Standing Committee at its first meeting in 2009;

(c) *Calls upon* its members to continue efforts to ensure that debate at the Executive Committee and its Standing Committee be of a substantive and interactive nature, yielding practical guidance and clear advice to the High Commissioner, in keeping with the Committee's statutory functions; and *calls on* the Office of the High Commissioner to be explicit and analytical in its reports and presentations to the Committee and to submit documentation in a timely manner;

(d) *Further calls* on the Office of the High Commissioner to consult with the Committee with regard to the ongoing reform measures and the consequent structural and management changes within the organization, including the proposed new budget structure, through informal consultative meetings as well as at Standing Committee meetings;

(e) *Further requests* the Standing Committee to report on its work to the sixtieth session of the Executive Committee.

E. Decision on observer participation in meetings of the Standing Committee in 2008-2009

18. *The Executive Committee,*

(a) *Approves* applications by the following Government observer delegations for participation in meetings of the Standing Committee from October 2008 to October 2009:

Angola, Bosnia and Herzegovina, Burundi, Czech Republic, Sri Lanka, Syrian Arab Republic;

(b) *Authorizes* the Standing Committee to decide upon any additional applications from Government observer delegations to participate in its meetings during the aforementioned period;

(c) *Approves* the following list of intergovernmental and international organizations to be invited by the High Commissioner to participate as observers in relevant meetings of its Standing Committee from October 2008 to October 2009:

United Nations specialized agencies, departments, funds and programmes, African Union, Council of Europe, East African Community, Economic Community of Central African States, Economic Community of West African States, European Community, Executive Secretariat of the Commonwealth of Independent States, Intergovernmental Authority on Development, International Centre for Migration Policy Development, International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies, International Organization for Migration, League of Arab States, Organization of Eastern Caribbean States, International Organization of "la Francophonie", Organization of the Islamic Conference, Southern African Development Community and Sovereign Military Order of Malta.

F. Decision on the provisional agenda of the sixtieth session of the Executive Committee

19. *The Executive Committee*,

Recalling its decision on working methods adopted at its fifty-fifth plenary session (A/AC.96/1003 paragraph 25),

Decides to adopt as the provisional agenda for the sixtieth session of the Executive Committee the standard model contained in sub-paragraph (1f) of the above-mentioned decision.

Annex I

List of decisions adopted by the Standing Committee in 2008

In accordance with the authority vested in it by the Executive Committee, the Standing Committee adopted a number of decisions which are annexed to the reports of the different Standing Committee meetings, as follows:

(a) *Report of the forty-first meeting of the Standing Committee (A/AC.96/1052)*

Decision on programme budgets and funding in 2008.

(b) *Report of the forty-second meeting of the Standing Committee (A/AC.96/1060)*

(i) Decision on overall programme budgets and funding for 2008;

(ii) Decision on UNHCR's programme in the United Nations proposed strategic framework for the biennium 2010-2011.

Annex II

Chairman's Summary of the General Debate

1. The debate began with a very thorough and thought-provoking presentation from the High Commissioner in which he provided an update on the commitments he made last year, namely to beneficiaries; protection; durable solutions; sustainable reintegration; structural and management change; United Nations reform and the integrity of UNHCR's mandate; partnership; staff security and welfare; and dialogue and cooperation with States. His statement reflected considerable progress in each of these areas. At the same time, he challenged the Committee to think about some fundamental questions regarding how the international community should respond to the growing scale and complexity of forced displacement, including the impact of climate change; the adequacy of the Office's current legal and normative framework; the relevance of the traditional principles of humanitarian action and their relationship to new concepts such as "human security" and "the responsibility to protect"; and the adequacy of the current humanitarian architecture.

2. Mr. Jakob Kellenberger, the guest speaker, complemented the High Commissioner's presentation by pointing out the importance, not only of collaboration, but also that effective and meaningful collaboration must be based more on genuine respect for certain basic principles than on ever-more refined mechanisms and procedures of coordination.

3. Delegations' contributions to the debate confirmed their support for the High Commissioner's efforts and the importance of the Committee's underlying principles. For instance, many delegations noted that the 1951 Convention on the Status of Refugees and its 1967 Protocol provide the foundation for UNHCR's work and that protection remains the central focus of the Office's mandate. Some delegates also welcomed Executive Committee protection conclusions, as well as efforts to reform the process of elaborating them. Several speakers expressed concern for protecting the institution of asylum or concern about maintaining the principle of *non-refoulement*. In addition, many delegations pointed out that access to victims and the safety and security of humanitarian personnel are fundamental to UNHCR's ability to carry out its mandate, and called for preservation of "humanitarian space". Many also noted the strong link between human rights, human security and refugee situations. Delegations also stressed the importance of respecting the principles of neutrality and non-political humanitarian assistance, and adherence to the idea that refugees have the right to return to their country of origin and should be able to do so in safety and dignity.

4. While these principles apply to protection in general, the Committee also called attention to the needs of vulnerable groups, such as women, children and the elderly, noting the importance of age, gender and diversity mainstreaming and the need to address sexual and gender-based violence. Several delegations also urged the High Commissioner to continue his efforts on behalf of another group within his protection mandate – those who are stateless.

5. One delegation noted the High Commissioner's comment that "a commitment to protection is also a commitment to solutions." Many delegations stressed the importance of promoting durable solutions and expressed concern about protracted refugee situations, noting that voluntary repatriation

remains the preferred solution, but recognizing that resettlement and local integration both have a role to play in this process. While some delegations pointed out that local integration was not feasible in certain situations, it was gratifying to hear of many successful efforts to promote local integration elsewhere and that there was support for broader efforts to promote resettlement where appropriate. In this regard, several speakers praised the role of the resettlement programme under the Mexico Plan of Action. But at the same time many delegations referred to the burden borne by host countries, and there was extensive agreement that the Committee must further promote international solidarity and responsibility- and burden-sharing.

6. Many delegations agreed with the High Commissioner that the current situation regarding forced displacement had become more complex. In this context many stressed the crucial importance of partnerships, recognizing that UNHCR cannot solve the problem of forced displacement by itself. These partners included a variety of actors such as other United Nations agencies, the International Red Cross and Red Crescent movement, development actors, regional bodies, NGOs, the private sector, and, of course, States. Many speakers described the particular challenges that they were facing in their own countries. But it was heartening to hear from so many about the various forms of cooperation that they were engaged in with the Office. And there were also calls for the High Commissioner to continue his involvement with the Global Humanitarian Platform.

7. One of the most complex issues regarding displacement involves mixed migration flows. Several delegations expressed support for UNHCR's protection-oriented approach in dealing with this situation as well as the Ten-Point Plan of Action; in this context there were several expressions of concern about the problem of human trafficking. Some delegations agreed with the High Commissioner that urban refugees also presented a complex issue and that this topic would need to receive more attention in the future.

8. Given the complexity of displacement noted above, the issue of reform was high on the international agenda. It was clear that the Committee supported UNHCR's efforts in this area, whether in relation to reform within the United Nations system or within UNHCR itself. Many delegations encouraged the High Commissioner to continue to enhance UNHCR's role in the Delivering as One process; one delegation noted that this process offered a unique opportunity to engage the rest of the United Nations family. With regard to internally displaced persons, UNHCR was encouraged to continue its lead roles in the Cluster approach, although some delegations noted that UNHCR's work on behalf of IDPs should not come at the expense of refugees.

9. With regard to internal reforms, most delegations expressed support for the structural and management changes, including decentralization and regionalization, outposting, needs-based budgeting, and the Global Needs Assessment process. While recognizing that reform may be difficult for some staff, it should improve UNHCR's effectiveness and efficiency so it can better serve the needs of its beneficiaries. Several delegations looked forward to an evaluation of these efforts. Concerning UNHCR's budget, many delegations reiterated the importance of increased funding, with at least one delegation recalling that it should be timely, predictable, and flexible, and others encouraging the Office to broaden its donor base.

10. To facilitate the work of UNHCR, communication among all actors was seen as crucial. In this regard, the Committee welcomed the High Commissioner's commitment to dialogue and expressed strong support for the upcoming "Kabul International Conference on Return and Reintegration"; the next Dialogue on International Protection with its focus on protracted situations; and the African Union Summit on "Refugees, Returnees and Internally Displaced Persons in Africa" to be held in April 2009. But delegations also expressed strong appreciation for the High Commissioner's visits and dialogue with their Governments, or visits planned for the future.

11. Finally, many delegations expressed their thanks to the High Commissioner and his staff for their dedication and commitment to the people they serve. Comments during the course of the debate indicated that delegations wanted to join UNHCR in this effort and that they concurred with the High Commissioner when he said that it was only by thinking and acting together that the international community would be able to restore the rights and meet the needs of the people UNHCR is mandated to care for – people who are, in many respects, the most vulnerable in today's dangerous world.

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